

Title 4, California Code of Regulations, Division 18

Section 12350. Program to Address Problem Gambling

- (a) As used in this section:
 - (1) “Commission” means the California Gambling Control Commission.
 - (2) “Gambling area” means the area within a gambling establishment where controlled games are conducted.
 - (3) The definitions in Business and Professions Code section 19805 shall govern the construction of this section.
- (b) Each owner licensee shall post or provide, in conspicuous places in or near gambling areas and any cash dispensing machines located in the gambling establishment, accessible written materials concerning the nature and symptoms of problem gambling and the toll-free number (800 322-8748) of the California Council on Problem Gambling or any similar entity approved by the Commission that provides information and referral services for problem gamblers.
- (c) Each owner licensee shall implement procedures and training for all employees who directly interact with gambling patrons in gambling areas. That training shall, at a minimum, consist of information concerning the nature and symptoms of problem gambling behavior and assisting patrons in obtaining information about problem gambling programs. This subsection shall not be construed to require employees to identify problem gamblers. Each owner licensee shall designate personnel responsible for maintaining the program and addressing the types and frequency of such training and procedures. Training programs conducted or certified by the California Council on Problem Gambling are presumed to provide adequate training for the period certified by the California Council on Problem Gambling.
- (d) Each owner licensee that engages in the issuance of credit, check cashing, or the direct mail marketing, shall implement a program containing the elements described below that allows patrons to self-limit their access to the issuance of credit, check cashing, or direct mail marketing by that licensee. Such program shall contain, at a minimum, the following:
 - (1) The development of written materials for dissemination to patrons explaining the program;

- (2) The development of written forms allowing patrons to participate in the program;
 - (3) Standards and procedures for denying a patron access to check cashing, the issuance of credit, and the participation in direct mail marketing of gambling opportunities; and
 - (4) Standards and procedures for removal of a patron from the gambling establishment's direct mailing and other direct marketing regarding gaming opportunities at the gambling establishment.
- (e) The Commission may require that any owner licensee submit any of the elements of its program described in subsections (b) to (d), inclusive, to the Commission for review. If the Commission makes an administrative determination that the licensee's program does not adequately address the standards as set forth in subsections (b) to (d), inclusive, then the Commission may issue such a determination identifying the deficiencies and specifying a time certain within which those deficiencies shall be cured.
- (f) Failure by an owner licensee to establish the programs set forth in subsections (b) to (d), inclusive, or to cure a deficiency identified pursuant to subsection (e), constitutes an unsuitable method of operation and is in violation of this section.
- (g) In addition to any other remedy under the Gambling Control Act the Commission may assess a monetary penalty not exceeding one thousand dollars (\$1,000) for violation of this section.
- (h) This section will become operative and its provisions shall apply on and after _____.

Authority: Sections 19810A, 19822A, 19823A, 19830A, 19915A, Business and Professions Code

Reference: Section 19915A, Business and Professions Code and section 4369.4, Welfare and Institutions Code